

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

WEDRIA LONG, #187751

Plaintiff,

v.

ANNAE SANDERS, *et al.*,

Defendants.

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Case No. 09-11021

DISTRICT JUDGE  
ARTHUR J. TARNOW

MAGISTRATE JUDGE  
R. STEVEN WHALEN

**ORDER**  
**ADOPTING REPORT AND RECOMMENDATION [51],**  
**GRANTING IN PART AND DENYING IN PART**  
**DEFENDANTS SANDERS, STOVALL-HILL AND MUZZIN'S**  
**MOTION FOR SUMMARY JUDGMENT [40],**  
**and**  
**DISMISSING DEFENDANTS SANDERS AND STOVALL-HILL**

Before the Court is the Magistrate Judge's Report and Recommendation [51], filed on June 17, 2010, regarding Defendants Sanders, Stovall-Hill and Muzzin's Motion for Summary Judgment [40]. The Magistrate Judge recommends that Defendants' Motion be granted in part and denied in part. The parties have filed no objections to the Report and Recommendation.

There having been no objections, the Court being fully advised in the premises, and for the reasons stated in the Report and Recommendation [51],

**IT IS HEREBY ORDERED** that the Report and Recommendation [51] is **ADOPTED**.

Accordingly, Defendants' Motion [40] is **GRANTED IN PART AND DENIED IN PART**, as follows:

**IT IS ORDERED** that Defendants' Motion [40] is **GRANTED** as to the Fourteenth Amendment Equal Protection claims stated against Defendants Sanders, Stovall-Hill and Muzzin.

**IT IS FURTHER ORDERED** that Defendants' Motion [40] is **GRANTED** as to all other claims insofar as they name Defendants Sanders, Stovall-Hill and Muzzin in their official capacities.

**IT IS FURTHER ORDERED** that Defendants' Motion [40] is **GRANTED** as to the Eighth Amendment claims stated against Defendants Sanders and Stovall-Hill.

**IT IS FURTHER ORDERED** that Defendants' Motion [40] is **DENIED** as to the individual-capacity Eighth Amendment claim stated against Defendant Muzzin. On that claim, Defendant Muzzin is not entitled to qualified immunity.

Thus, the individual-capacity Eighth Amendment claim stated against Defendant Muzzin is the sole claim to survive Defendants' Motion for Summary Judgment [40]. Accordingly,

**IT IS ORDERED** that Defendants Sanders and Stovall-Hill are **DISMISSED** from this action.

**SO ORDERED.**

S/ARTHUR J. TARNOW

Arthur J. Tarnow  
Senior United States District Judge

Dated: July 15, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 15, 2010, by electronic and/or ordinary mail.

S/LISA M. WARE

Case Manager